

**WASHINGTON COUNTY COMMISSION  
MEETING MINUTES  
NOVEMBER 18, 2014**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on November 18, 2014, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan Gardner, Commissioner Victor Iverson, County Administrator Dean Cox, Deputy County Attorney Jodi Borgeson, and Deputy County Clerk Cheyenne Bentley.

Commissioner Iverson led the Pledge of Allegiance.

**AGENDA**

**CONSENT AGENDA:**

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for October 22, 2014, through November 18, 2014
- Consideration of Administrative Adjustments: Real Property (Attached)
- Consideration of Administrative Adjustments: Personal Property (Attached)
- Consideration of Applications for Property Tax Abatements (38)

**MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.**

**REGULAR AGENDA ITEMS FOR CONSIDERATION:**

**VOLUNTEER OF THE MONTH / BONNIE HALLMAN**

RSVP Coordinator for Five County Association of Governments, Bonnie Hallman recognized two volunteers. The first was Adriana Santana, who volunteers for Switchpoint. Adriana has been volunteering six (6) hours a day, five (5) days a week, for the past eight (8) months. The second volunteer recognized was Dave Fillat, who volunteers for Habitat for Humanity. He has been volunteering at Habitat for Humanity for the last three (3) years.

Commissioner Eardley commended the volunteer program saying that they make a positive difference in our community.

**PURCHASE REQUEST(S): TREVOR COOMBS**

IT Department..... (\$24,362.15)

Washington County Internal Auditor Trevor Coombs sought approval for the purchase of a new switch for the IT department computers for the Attorney's Office. He also stated that the IT Department has the funding in its budget.

*All purchases are budgeted, bonded, or paid for through grant funds.*

**MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.**

**PRESENTATION: PRELIMINARY 2015 WASHINGTON COUNTY BUDGET / KIM HAFEN**

Washington County Clerk/ Auditor Kim Hafen presented the proposed 2015 budget. The 2015 budget contains a pay increase for each qualified employee. The increases will be in either a step form, or a flat rate increase depending on where the employee is in their own advancement. There were several jobs added during the 2014 year that are budgeted into the 2015 year.. The Justice Court added an additional Court Clerk. In regards to public safety, the number of reserve hours were scaled back in exchange for three (3) full time positions. An additional person was added mid 2014 to the Tourism office. A civil attorney and a paralegal will be added to the Attorney's Office in 2015. A prosecuting attorney position was requested but is currently on hold

Mr. Hafen explained that seventy-nine percent 79% of Washington County's lands are federally owned and cannot be taxed. Each year the government makes a payment to us in the form of Payment in Lieu of Taxes (PILT). Mr. Hafen expects to receive the same amount of funding that was received in 2014, for the 2015 year. Commissioner Eardley stated that Washington County looks to be on track to receive the PILT funding. Mr. Hafen said that the money received from PILT goes into one of two funds: the Road Fund (Fund 11) and Municipal Services (Fund 12) (public services throughout unincorporated parts of the county.) A large portion of that funding also helps to fund the Sheriff's patrol unit. Mr. Hafen said that the amount received last year was 2.9 million dollars.

The Utah State Retirement System is where the Washington County employees' retirement benefits reside. It is funded through investments and contributions. URS operates on a fiscal year from July 1<sup>st</sup> to June 30<sup>th</sup>.

Washington County's medical benefits are self-funded, but managed through a third party administrator. Mr. Hafen explained that beginning in November of 2013, there was an increase in claims. In mid-2014, it was determined that Washington County and its employees needed to contribute more into the fund to pay those claims. A further increase is not anticipated for the 2015 year.

Mr. Hafen stated that there is no property tax increase in the 2015 budget. He further explained that if there was ever to be an increase in property taxes, it would need to be determined before the election.

Attached is a copy of the Washington County proposed 2015 Budget in its entirety. Mr. Hafen will return at the December 16, 2014 meeting with the Final Budget for approval.

**MOTION: Motion by Commissioner Gardner to Accept the Proposed Preliminary 2015 Washington County Budget. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.**

#### **CANVASS OF 2014 WASHINGTON COUNTY ELECTION / KIM HAFEN**

Mr. Hafen stated that with all of the counted ballots, the voter turnout was 45.79%. He commended all of the poll workers who helped with the election process.

The Recreation, Arts and Parks Tax (RAP) was approved 51.04% to 48.96%. This is a tax that will distribute 1/10<sup>th</sup> of 1% of sales tax to the recreational facilities throughout the county.

Additional information according to precinct is attached to these minutes.

**MOTION: Motion by Commissioner Iverson to Accept the 2014 Washington County Election Canvass. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.**

#### **CONSIDERATION OF ORDINANCE NO. 2014-1042-O, AN ORDINANCE AMENDING THE HOME OCCUPATION ZONING REQUIREMENTS IN THE WASHINGTON COUNTY CODE IN ORDER TO INCREASE THE TYPES OF BUSINESSES THAT MAY OPERATE AS A HOME OCCUPATION**

Washington County Planner Scott Messell explained that it was appropriate to create a more detailed ordinance regarding home occupations. The new ordinance makes it possible for citizens to use garages and/or out-buildings as a space for home occupations.

Guidelines remain in place to ensure that the home occupation is appropriate for the respective residential zone.

**MOTION:** Motion by Commissioner Iverson to Adopt Ordinance No. 2014-1042-O, An Ordinance Amending the Home Occupation Zoning Requirements in the Washington County Code in Order to Increase the Types of Businesses That May Operate as a Home Occupation. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1853, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF ST. GEORGE AND WASHINGTON COUNTY AND THE EXECUTION OF A QUIT CLAIM DEED REGARDING THE TRANSFER OF OWNERSHIP OF REAL PROPERTY LOCATED IN ST. GEORGE**

Washington County Administrator Dean Cox explained that this was in regards to the Ledges Parkway.

**MOTION:** Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1853, A Resolution Approving the Execution of an Agreement Between the City of St. George and Washington County and the Execution of a Quit Claim Deed Regarding the Transfer of Ownership of Real Property Located in St. George. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1854, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE UTAH INDIGENT DEFENSE FUNDS BOARD, GARY PENDLETON AND MARY CORPORON REGARDING INDIGENT DEFENSE FUNDING**

Deputy County Attorney Jodi Borgeson explained that the Indigent Defense fund has approved Gary Pendleton and Mary Corporon to represent the indigent defendant, Brandon Perry Smith. However, payment must be approved due to the nature of the case.

**MOTION:** Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1854, A Resolution Approving an Agreement Between the Utah Indigent Defense Funds Board, Gary Pendleton and Mary Corporon Regarding Indigent Defense Funding. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1855, A RESOLUTION APPROVING THE 2015 COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN AND FINANCIAL PLAN BETWEEN THE WASHINGTON COUNTY SHERIFF'S OFFICE AND THE USDA, FOREST SERVICE, DIXIE NATIONAL FOREST**

Washington County Sheriff Cory Pulsipher explained that this plan is for additional coverage/patrol in Forest Service areas during times when there is an influx of people in the recreational areas of the County.

**MOTION:** Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1855, A Resolution Approving the 2015 Cooperative Law Enforcement Annual Operating Plan and Financial Plan Between the Washington County Sheriff's Office and the USDA, Forest Service, Dixie National Forest. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1856, A RESOLUTION APPOINTING A MEMBER TO THE WASHINGTON COUNTY LIBRARY BOARD**

Commissioner Eardley explained that Louise Excell resigned from the board and her vacancy needed to be filled. Library Manager Joel Tucker stated that Dan McGuire was recommended by the Library Board to fill her seat on the board.

**MOTION:** Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1856, A Resolution Appointing Dan McGuire to the Washington County Library Board. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1857, A RESOLUTION APPROVING THE TRINITY SERVICES GROUP, INC., SOFTWARE LICENSE AGREEMENT FOR INMATE ACCOUNTING SOFTWARE AND COMMISSARY PRODUCTS**

Undersheriff Bart Bailey explained that the Sheriff's office was in need of software to perform inmate accounting.

**MOTION:** Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1857, A Resolution Approving the Trinity Services Group., Inc., Software License Agreement for Inmate Accounting Software and Commissary products. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1858, A RESOLUTION APPROVING THE CONTRACT BETWEEN WASHINGTON COUNTY AND HRA CONSERVATION ARCHAEOLOGY FOR A CULTURAL RESOURCE INVENTORY FOR LAND PARCELS IN WASHINGTON COUNTY, UTAH - LEEDS ADDITION.**

Commissioner Gardner explained that this contract would be for a cultural clearance by HRA Conservation Archaeology for a potential land exchange pursuant to the Washington County Habitat Conservation Plan (HCP).

**MOTION:** Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1858, A Resolution Approving the Contract Between Washington County and HRA Conservation Archaeology for a Cultural Resource Inventory for Land Parcels in Washington County, Utah - Leeds Addition. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1859, A RESOLUTION APPROVING THE APPOINTMENT OF MARSHALL TOPHAM AS LOCAL BIOLOGIST TO THE TECHNICAL COMMITTEE OF THE HABITAT CONSERVATION PLAN ADVISORY COMMITTEE**

Commissioner Gardner explained that a member stepped down and the Habitat Conservation Advisory Committee (HCAC) recommended Marshall Topham to fill that vacancy.

**MOTION:** Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1859, A Resolution Approving the Appointment of Marshall Topham as Local Biologist to the Technical Committee of the Habitat Conservation Plan Advisory Committee. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1860, A RESOLUTION APPROVING A WIRELESS CO-LOCATION AGREEMENT BETWEEN WASHINGTON COUNTY AND INFOWEST, INC.**

Undersheriff Bart Bailey explained that the Sheriff's Office Administration Building in Hurricane is the tallest building in the area. Infowest currently provides services to several of the buildings nearby and asked if they could provide additional bandwidth for the Sheriff's Office in exchange for placing their equipment on the building.

**MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1860, A Resolution Approving a Wireless Co-Location Agreement Between Washington County and Infowest, Inc. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.**

**COMMISSIONERS' REPORT**

Commissioner Gardner reported on the Utah Association of Counties (UAC) convention that took place at the Dixie Center last week. He stated that many valuable meetings were held and it was an honor to "show off" our County.

**PUBLIC WORKS OR ROAD BUSINESS**

Public Works Director Ron Whitehead presented four (4) purchase requisitions for the Public Works and Road Departments, that were previously discussed and budgeted for. The first is a computer scanner for the fleet vehicles, which scans the computer codes for diagnostic purposes, totaling \$19,785.99. The second is four (4) tables and additional chairs for the emergency services conference room, totaling \$1,458.36. Third is a Honda CR-V for the Public Works Department, totaling \$24,016.76. Last is for two (2) Dodge 3500 Crew Cab trucks for the Road Department, totaling \$81,632.00.

**MOTION: Motion by Commissioner Iverson to Approve the Purchase Requests as identified above. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner and Iverson voting aye.**

Mr. Whitehead reported that they have received permission from the Bureau of Land Management (BLM) to do repairs on the Eardley road that washed out during the last rain storm.

The contractor has nearly completed the Motoqua road project and is anticipating its completion by the end of 2014.

**COUNTY DEVELOPMENT AND PLANNING BUSINESS:**

None brought before the Commission.

***Request a Closed Session***

None.

There being nothing further to come before the Commission, the meeting was adjourned at 5:05 p.m.

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CHEYENNE W. BENTLEY  
DEPUTY CLERK

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JAMES J. EARDLEY  
CHAIRMAN